

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF SOUTH CAROLINA

Case number (if known)

Chapter you are filing under:

☐ Chapter 7

☐ Chapter 11

☐ Chapter 12

☒ Chapter 13

☐ Check if this an amended filing

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

12/15

The bankruptcy forms use you and Debtor 1 to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use you to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Matthew

First name

Sean

Middle name

Bring your picture identification to your meeting with the trustee.

Poteat

Last name and Suffix (Sr., Jr., II, III)

Natasha

First name

Lynn

Middle name

Poteat

Last name and Suffix (Sr., Jr., II, III)

2. All other names you have used in the last 8 years

Include your married or maiden names.

FKA Natasha Lynn Swigert

3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

xxx-xx-9327

xxx-xx-5839

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known) _____

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years

☒ I have not used any business name or EINs.

☒ I have not used any business name or EINs.

Include trade names and
doing business as names

Business name(s)

Business name(s)

EINs

EINs

5. Where you live

**337 Long Branch Road
Chesnee, SC 29323-9141**

Number, Street, City, State & ZIP Code

Spartanburg

County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

Number, P.O. Box, Street, City, State & ZIP Code

If Debtor 2 lives at a different address:

Number, Street, City, State & ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number, P.O. Box, Street, City, State & ZIP Code

6. Why you are choosing this district to file for bankruptcy

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason.
Explain. (See 28 U.S.C. § 1408.)

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason.
Explain. (See 28 U.S.C. § 1408.)

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known) _____

Part 2: Tell the Court About Your Bankruptcy Case

7. **The chapter of the Bankruptcy Code you are choosing to file under** *Check one.* (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)*). Also, go to the top of page 1 and check the appropriate box.
- ☐ Chapter 7
- ☐ Chapter 11
- ☐ Chapter 12
- ☒ Chapter 13
-
8. **How you will pay the fee** ☒ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ☐ **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.
-
9. **Have you filed for bankruptcy within the last 8 years?** ☒ No.
- ☐ Yes.
- | | | |
|----------------|------------|-------------------|
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |
-
10. **Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?** ☒ No
- ☐ Yes.
- | | |
|-----------------------------|---------------------------|
| Debtor _____ | Relationship to you _____ |
| District _____ | When _____ |
| Case number, if known _____ | |
| Debtor _____ | Relationship to you _____ |
| District _____ | When _____ |
| Case number, if known _____ | |
-
11. **Do you rent your residence?** ☒ No. Go to line 12.
- ☐ Yes. Has your landlord obtained an eviction judgment against you and do you want to stay in your residence?
- ☐ No. Go to line 12.
- ☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it with this bankruptcy petition.

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known)

Part 3: Report About Any Businesses You Own as a Sole Proprietor

12. Are you a sole proprietor of any full- or part-time business?

☒ No. Go to Part 4.

☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any

Number, Street, City, State & ZIP Code

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor?

If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. 1116(1)(B).

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

☒ No. I am not filing under Chapter 11.

☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.

☐ Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code.

Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention

14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?

☒ No.

☐ Yes. What is the hazard? _____

If immediate attention is needed, why is it needed? _____

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

Where is the property? _____

Number, Street, City, State & Zip Code

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known)

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling

15. Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy. If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**
- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**

- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known)

Part 6: Answer These Questions for Reporting Purposes

16. What kind of debts do you have?	16a.	Are your debts primarily consumer debts? <i>Consumer debts</i> are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> No. Go to line 16b. <input checked="" type="checkbox"/> Yes. Go to line 17.
	16b.	Are your debts primarily business debts? <i>Business debts</i> are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment. <input type="checkbox"/> No. Go to line 16c. <input type="checkbox"/> Yes. Go to line 17.
	16c.	State the type of debts you owe that are not consumer debts or business debts <hr/>

17. Are you filing under Chapter 7? Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes.	I am not filing under Chapter 7. Go to line 18. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors? <input type="checkbox"/> No <input type="checkbox"/> Yes
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18. How many Creditors do you estimate that you owe?	<input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> More than 100,000
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19. How much do you estimate your assets to be worth?	<input type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion
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20. How much do you estimate your liabilities to be?	<input type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion
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Part 7: Sign Below

For you	I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct. If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7. If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.
/s/ Matthew Sean Poteat Matthew Sean Poteat Signature of Debtor 1	/s/ Natasha Lynn Poteat Natasha Lynn Poteat Signature of Debtor 2
Executed on October 19, 2017 MM / DD / YYYY	Executed on October 19, 2017 MM / DD / YYYY

Debtor 1 **Matthew Sean Poteat**
Debtor 2 **Natasha Lynn Poteat**

Case number (if known) _____

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

/s/ Sharon K. Butler

Signature of Attorney for Debtor

Date

October 19, 2017

MM / DD / YYYY

Sharon K. Butler

Printed name

Sharon K. Butler, Attorney at Law

Firm name

Post Office Box 6974

Spartanburg, SC 29304-6974

Number, Street, City, State & ZIP Code

Contact phone **864.597.0316**

Email address

skblaw@aol.com

6147

Bar number & State

Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

You are an individual filing for bankruptcy,
and

Your debts are primarily consumer debts.
Consumer debts are defined in 11 U.S.C.
§ 101(8) as "incurred by an individual
primarily for a personal, family, or
household purpose."

The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under
one of four different chapters of Bankruptcy Code:

Chapter 7 - Liquidation

Chapter 11 - Reorganization

Chapter 12 - Voluntary repayment plan
for family farmers or
fishermen

Chapter 13 - Voluntary repayment plan
for individuals with regular
income

**You should have an attorney review your
decision to file for bankruptcy and the choice of
chapter.**

Chapter 7: Liquidation

\$245	filing fee
\$75	administrative fee
+	\$15 trustee surcharge
\$335	total fee

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their nonexempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law. Therefore, you may still be responsible to pay:

most taxes;

most student loans;

domestic support and property settlement obligations;

most fines, penalties, forfeitures, and criminal restitution obligations; and

certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

fraud or theft;

fraud or defalcation while acting in breach of fiduciary capacity;

intentional injuries that you inflicted; and

death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A-2).

If your income is above the median for your state, you must file a second form—the *Chapter 7 Means Test Calculation* (Official Form 122A-2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

Chapter 11: Reorganization

	\$1,167	filing fee
+	\$550	administrative fee
	\$1,717	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$75	administrative fee
	\$275	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$75	administrative fee
	\$310	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

domestic support obligations,

most student loans,

certain taxes,

debts for fraud or theft,

debts for fraud or defalcation while acting in a fiduciary capacity,

most criminal fines and restitution obligations,

certain debts that are not listed in your bankruptcy papers,

certain debts for acts that caused death or personal injury, and

certain long-term secured debts.

Warning: File Your Forms on Time

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:
http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

Bankruptcy crimes have serious consequences

If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.

All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

Make sure the court has your mailing address

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

Understand which services you could receive from credit counseling agencies

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days **before** you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from:
http://justice.gov/ust/eo/hapcpa/ccde/cc_approved.html

In Alabama and North Carolina, go to:
<http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyResources/ApprovedCreditAndDebtCounselors.aspx>.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.

**United States Bankruptcy Court
District of South Carolina**

In re **Matthew Sean Poteat
Natasha Lynn Poteat**

Debtor(s)

Case No.

Chapter

13

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>3,500.00</u>
Prior to the filing of this statement I have received	\$	<u>100.00</u>
Balance Due	\$	<u>3,400.00</u>
2. \$ **310.00** of the filing fee has been paid.
3. The source of the compensation paid to me was:
☒ Debtor ☐ Other (specify):
4. The source of compensation to be paid to me is:
☒ Debtor ☐ Other (specify):
5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
 - a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - d. [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtor(s) in

 - 1) any objection to discharge**
 - 2) motions to avoid judicial lien(s)**
 - 3) defense or settlement of relief from stay actions**
 - 4) adversary proceedings**
 - 5) appeals**
 - 6) notice of sale**
 - 7) motion to incur debt or obtain credit**
 - 8) defense or settlement of petition to dismiss**
 - 9) motion to reconsider dismissal of case**
 - 10) case audit**
 - 11) motion to amend confirmed plan**
 - 12) motion to use cash collateral**
 - 13) conversion of case to another chapter**
 - 14) reaffirmation agreements**
 - 15) motion to redeem**
 - 16) objection to proof of claim - contested**
 - 17) motion to disable public access**
 - 18) other - See attached Contract**

In re **Matthew Sean Poteat**
Natasha Lynn Poteat

Debtor(s)

Case No. _____

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)
(Continuation Sheet)

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

October 19, 2017

Date

/s/ Sharon K. Butler

Sharon K. Butler 6147

Signature of Attorney

Sharon K. Butler, Attorney at Law

Post Office Box 6974

Spartanburg, SC 29304-6974

864.597.0316 Fax: 864.597.0317

skblaw@aol.com

Name of law firm

Sharon K. Butler
ATTORNEY AT LAW

CONTRACT FOR LEGAL SERVICES - CHAPTER 13 BANKRUPTCY

OUR LAW FIRM IS A DEBT RELIEF AGENCY. WE HELP PEOPLE FILE FOR BANKRUPTCY RELIEF UNDER THE BANKRUPTCY CODE.

This is an agreement for legal services. Under this agreement, Sharon K. Butler, Attorney at Law, ("Attorney") will render legal services for the undersigned client(s) ("Client") and Client agrees to pay for those services. Representation under this contract shall become effective only upon payment of the quoted retainer fee. The retainer fee is non-refundable to the extent legal services are provided by Attorney.

Client retains and employs Attorney for representation in a Chapter 13 bankruptcy proceeding in the United States Bankruptcy Court for the District of South Carolina. Client agrees to pay the following:

- 1) Attorney fees in the amount of \$3,500.00. **Client acknowledges that this amount is only for the preparation and filing of a basic bankruptcy case and does not include those legal services listed in the attached Supplemental Services and Fees.**
- 2) Bankruptcy court filing fee in the amount of \$310.00.

Client is responsible for any fees associated with credit counseling or financial management courses.

Client is responsible for any fees associated with obtaining copies of credit reports, financial account statements, paycheck advices, or any other documents necessary for the bankruptcy case.

Client is responsible for costs of copies and postage as may be required for his/her case. Such costs will be paid to Attorney when they are incurred unless other arrangements are made.

Prior to filing the bankruptcy case, Client will pay to Attorney \$100.00 of the stated attorney fee and the required court filing fee. It is agreed that the remaining \$3,400.00 attorney fees will be paid through Client's chapter 13 plan unless the case is dismissed. Client agrees to pay any remaining balance owed on attorney fees directly to Attorney in the event the bankruptcy case is dismissed for any reason.

I. SCOPE OF LEGAL REPRESENTATION

For the above-disclosed attorney fee of \$3,500.00, Attorney agrees to:

1. Analyze Client's financial situation and render advice to Client in determining whether to file a petition in bankruptcy;
2. Prepare and file the bankruptcy petition, schedules, and statements.
3. Prepare and file the Chapter 13 plan and Request for Discharge (Chapter 13 cases only).
4. Represent Client at the Meeting of Creditors and Confirmation Hearing, if applicable.

5. File Client's Certificate of Completion of Credit Counseling and Client's Certificate of Completion of Financial Management Course.
6. Accept telephone calls and correspondence from Client's creditors.
7. Review Proofs of Claim that are filed by Client's creditors.
8. Prepare and file lien avoidance motions or valuation motions. [If an objection is filed to the motion and a hearing is required, there will be an additional fee charged for preparing for the hearing and attending the hearing.]

Attorney may provide additional legal services from time to time which are not covered by the above quoted fee. These additional services and their associated fees and costs are set forth in the attached Supplemental Services and Fee. Client authorizes Attorney to seek payment of such additional fees and/or costs through Client's chapter 13 plan unless other payment arrangements are made.

II. DURATION OF REPRESENTATION

1. Representation under this contract may be terminated at any time by Client. If Client terminates this contract, Client agrees to pay for all services rendered by Attorney up to the time of termination.
2. Prior to filing a bankruptcy petition with the bankruptcy court, Attorney may terminate this contract if:
 - a) Client fails to pay all required fees and costs within 60 days after payment of the initial retainer; or
 - b) Client fails to provide within 60 days after payment of the initial retainer, the requested information or documents necessary to complete the bankruptcy petition, statements and schedules; or
 - c) Client's financial situation has significantly changed since the initial consultation and Attorney's initial recommendations are no longer applicable; or
 - d) Client knowingly misrepresents or gives false information regarding Client's past and present assets, debts, income, and/or expenses; or
 - e) Client displays inappropriate conduct or uses inappropriate language toward Attorney or Attorney's staff.
3. After a bankruptcy petition has been filed with the bankruptcy court, legal representation under this contract will terminate when the bankruptcy case is discharged, dismissed or closed.
4. Prior to the discharge, dismissal or closing of a case, Attorney may file a motion with the court to terminate legal representation under this contract for cause including, but not limited to:
 - a) Client's failure to cooperate or appear at hearings in the case;
 - b) Attorney's discovery that Client knowingly concealed assets or made false statements to the bankruptcy court; or
 - c) a conflict of interest for the Attorney resulting from a divorce/separation action or other adversarial action between husband and wife clients.

Client is aware of an ethical requirement imposed upon attorneys in the bankruptcy court. If Client, in the course of representation by Attorney, perpetrates a fraud upon the court, Attorney is obligated to call upon Client to rectify the fraud. If Client refuses or is unable to do so, Attorney is required to reveal the fraud and/or move to withdraw from representation of Client.

III. CLIENT'S DUTIES

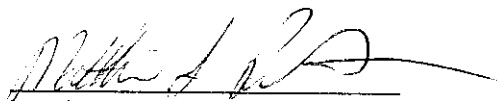
Client agrees:

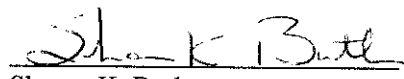
1. To provide accurately and honestly all of the information necessary to prepare and file the bankruptcy case and other motions or proceedings arising during the course of the case, and to list all assets and all debts.
2. To timely respond to all letters, e-mails, and telephone calls from Attorney or any member of Attorney's staff.
3. To keep Attorney advised at all times of Client's mailing and physical address, telephone numbers, and e-mail address.
4. To attend all court hearings or meetings as may be required by the court or any other party.
5. To inform Attorney of any material change in Client's financial situation during the course of the bankruptcy case.
6. To always make an appointment before coming by Attorney's office - for any matter. (This is necessary to protect confidentiality and to ensure sufficient time to address the matter at hand.)

IV. MISCELLANEOUS PROVISIONS

1. Since the outcome of negotiations and litigation is subject to factors which cannot always be foreseen, Client acknowledges and understands that Attorney has made no promises or guarantees to Client concerning the outcome and is unable to do so. Nothing in this contract shall be construed as a promise or guarantee.
2. Client agrees that Attorney may destroy Client's records five (5) years after the closing of Client's bankruptcy case.
3. Client acknowledges that Attorney does not represent Client in any other type of case, lawsuit or proceeding other than Client's bankruptcy case. Attorney may make a special appearance in a court, other than the Bankruptcy Court, for the purpose of filing a notification of Client's bankruptcy proceeding and to suggest to another court that proceeding against Client should be stayed. Sending or receiving any summons or complaint, or notifying Attorney of a pending lawsuit does not obligate Attorney to represent Client in that lawsuit or before that court. Any referral made to another attorney to represent Client is a courtesy only. Attorney is not associated with any other law firm.
4. Client acknowledges that Attorney will not research creditor information, including addresses, account numbers, or balances. Client must provide this information to Attorney in writing. Failure to do so may result in a debt not being discharged.

5. Client understands that certain debts such as taxes, student loans, child support, and alimony cannot be discharged in bankruptcy and that Client is still liable to repay any debt not discharged. Client further understands that the list of non-dischargeable debts may be expanded by legislation or court decisions and Attorney has no control over the type of debts that may be or become non-dischargeable.
6. Client understands that filing bankruptcy does not automatically discharge or remove liens from any real estate. Client agrees that Attorney will rely on Client's statements concerning ownership of real property and any liens attached to Client's real property. Client agrees that no real estate title search will be conducted by Attorney. Client agrees that Attorney will not conduct a public records search for lawsuits filed against Client or judgments granted against Client. Client must separately order and pay for any real estate title search, or public records search for lawsuits or judgments, if Client wishes to obtain one. Client agrees to hold Attorney harmless if Client later discovers liens, lawsuits or judgments against Client or against Client's real estate.
7. Client understands that individuals who file for relief under Chapter 7 or Chapter 13 of the Bankruptcy Code are subject to random audits by the Office of the United States Trustee, under the authority of the Department of Justice.
8. Client understands that Attorney may use non-Attorney staff to assist with Client's case.
9. Client acknowledges that he/she has read and understands all the terms contained in this contract. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promises made on or before the effective date of this Agreement will be binding on the parties. This Agreement may be modified only by a writing signed by both parties. Client further acknowledges the receipt of a copy of this agreement.


Matthew Sean Poteat


Sharon K. Butler
Attorney at Law
Post Office Box 6974
Spartanburg, SC 29304


Natasha Lynn Poteat

Date: 10/19/2017

Sharon K Butler
 Attorney at Law
 Post Office Box 6974
 Spartanburg, South Carolina 29304
 864-597-0316

SUPPLEMENT TO CONTRACT FOR LEGAL SERVICES - BANKRUPTCY

As noted in the Contract for Legal Services, additional attorney fees and costs may be incurred during your bankruptcy case for events which are not part of the basic bankruptcy proceeding. These following amounts are stated as minimum fees only and may vary according to the time required to provide such additional legal services:

Motion for Relief from Stay	
Objection / Settlement	\$400.00
Objection / No Settlement (preparing for and attending hearing).....	\$500.00
Motion for Moratorium	\$250.00
Motion to Modify Confirmed Plan	\$300.00
Motion to Modify Confirmed Plan and Amendment to Schedules I and J.....	\$400.00
Motion to Incur Debt / Obtain Credit	\$350.00
Motion to Sell Property / Report of Sale.....	\$425.00
Motion to Value (Hearing Required)	\$300.00
Motion to Avoid Lien (Hearing Required)	\$300.00
Motion to Reopen Case / Reconsider Dismissal Order	\$350.00
Resolving Petition to Dismiss	\$200.00
Attending Hearing on Petition to Dismiss	\$200.00
Motion to Extend Automatic Stay	\$400.00
Motion to Turnover Property	\$350.00
Attending Continued Meeting of Creditors Due to Client's Absence (where attorney was not informed prior to original hearing).....	\$150.00
Motion to Substitute Collateral	\$350.00
Notice of Settlement / Compromise	\$400.00
Adding creditors not included in the original petition	\$30.00 court fee
plus.....	\$100.00
Motion to Convert Chapter 13 Case to Chapter 7 (Includes updating Schedules as necessary / Filing Statement of Intent/ Attending Chapter 7 Meeting of Creditors).....	\$700.00

Motion to Convert Chapter 7 Case to Chapter 13

(Includes updating Schedules as necessary / Filing Chapter 13 Plan /

Attending Chapter 13 Meeting of Creditors & Confirmation Hearing) \$1,500.00

Defending Objection to Discharge \$200.00 / hour

Filing Objection to Proof of Claim \$100.00

Filing Claim on Behalf of Creditor \$200.00

Letter from Attorney to Third Party \$ 50.00

Services rendered regarding post-petition mortgage arrearages or disputes
(Not including Motion for Relief From Stay)..... \$200.00 / hour

Motion to Reinstate Stay or Resume Trustee Payments on Arrears \$250.00

Negotiate / review reaffirmation agreements \$125.00

Attend hearing on reaffirmation agreement \$125.00

All matters relating to pursuit of loan modification / loss mitigation options \$200.00 / hour

Contested Hearing on any matter (preparing for and attending hearing)..... \$200.00 / hour

All matters relating to the defense or pursuit of adversary proceeding \$200.00 / hour

Motion to Restrict Public Access \$100.00

Matters Relating to Mortgage Loan Modifications \$200.00 / hour

Other matters \$200.00 / hour

Telephone calls from Client prior to the filing of bankruptcy case..... No charge

Telephone calls from Client in response to a call / letter from Attorney,
correspondence from the bankruptcy trustee, or correspondence from the court..... No charge

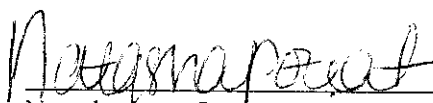
Other telephone calls from Client (15 minutes or less)..... \$15.00

Other telephone calls from Client (over 15 minutes)..... \$25.00

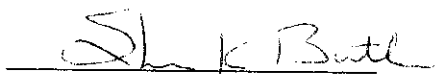
I consent to the above fees in the event such services are required during the course of my bankruptcy case.



Matthew Sean Poteat



Natasha Lynn Potcat



Sharon K. Butler

Attorney at Law

Post Office Box 6974

Spartanburg, SC 29304

864.597.0316

864.597.0317 fax

District Court I.D # 6147

10/19/2017
Date

LOCAL OFFICIAL FORM 1007-1(b) TO SC LBR 1007-1

United States Bankruptcy Court
District of South Carolina

In re **Matthew Sean Poteat**
Natasha Lynn Poteat

Debtor(s)

Case No.

Chapter

13

CERTIFICATION VERIFYING CREDITOR MATRIX

The above named debtor, or attorney for the debtor if applicable, hereby certifies pursuant to South Carolina Local Bankruptcy Rule 1007-1 that the master mailing list of creditors submitted either on computer diskette, electronically filed via CM/ECF, or conventionally filed in a typed hard copy scannable format which has been compared to, and contains identical information to, the debtor's schedules, statements and lists which are being filed at this time or as they currently exist in draft form.

Master mailing list of creditors submitted via:

- (a) _____ computer diskette
- (b) _____ scannable hard copy
(number of sheets submitted _____)
- (c) **X** electronic version filed via CM/ECF

Date: **October 19, 2017**

/s/ Matthew Sean Poteat

Matthew Sean Poteat

Signature of Debtor

Date: **October 19, 2017**

/s/ Natasha Lynn Poteat

Natasha Lynn Poteat

Signature of Debtor

Date: **October 19, 2017**

/s/ Sharon K. Butler

Signature of Attorney

Sharon K. Butler 6147

Sharon K. Butler, Attorney at Law

Post Office Box 6974

Spartanburg, SC 29304-6974

864.597.0316 Fax: 864.597.0317

Typed/Printed Name/Address/Telephone

6147

District Court I.D. Number

AC FINANCE LLC
670 EAST MAIN STREET
SPARTANBURG SC 29302

BELMONT FINANCE, LLC
P O BOX 152
WAUPACA WI 54981

BORROWERSFIRST, INC
P O BOX 163207
AUSTIN TX 78716

CREDIT ONE BANK
P O BOX 98873
LAS VEGAS NV 89193-8873

CRESCENT BANK AND TRUST
P O BOX 2460
CHESAPEAKE VA 23327

DEPARTMENT OF EDUCATION / NELNET
3015 PARKER ROAD
SUITE 400
AURORA CO 80014

DIVERSIFIED CONSULTANTS
P O BOX 551268
JACKSONVILLE FL 32255

EMERGENCY CENTER PHYSICIANS
C/O MEDICREDIT INC
P O BOX 1629
MARYLAND HEIGHTS MO 63043

FIRST PREMIER BANK
3820 NORTH LOUISE AVENUE
SIOUX FALLS SD 57104-0337

GREENVILLE HEALTH SYSTEM
701 GROVE ROAD
GREENVILLE SC 29605

GREENVILLE HERITAGE FEDERAL CREDIT UNION
P O BOX 2564
GREENVILLE SC 29602

GREENVILLE MEMORIAL HOSPITAL
P O BOX 19051
GREENVILLE SC 29602-9051

GUILD MORTGAGE COMPANY
5898 COPLEY DRIVE
4TH FLOOR
SAN DIEGO CA 92111

HEALTHCARE RECEIVABLES GROUP FOR
GREEVILLE HOSPITAL
318 NANCY LYNN LANE
KNOXVILLE TN 37919

HEALTHCARE RECEIVABLES GROUP FOR
GREENVILLE HEALTH SYSTEM
318 NANCY LYNN LANE
SUITE 21
KNOXVILLE TN 37919

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
P O BOX 7346
PHILADELPHIA PA 19101-7346

KAY JEWELERS
375 GHENT ROAD
AKRON OH 44333-4601

LENDMARK FINANCIAL SERVICES
120 DORMAN COMMERCE DRIVE
SUITE I
SPARTANBURG SC 29301-2649

MARY BLACK HEALTH SYSTEM
1700 SKYLN DRIVE
SPARTANBURG SC 29307-1041

MARY BLACK PHYSICIANS GROUP
P O BOX 19000
BELFAST ME 04915-4085

MEDICAL DATA SYSTEMS, INC
2001 9TH AVENUE
SUITE 312
VERO BEACH FL 32960-6413

MEDICREDIT, INC
P O BOX 1629
MARYLAND HEIGHTS MO 63043-0629

MIDLAND FUNDING LLC
2365 NORTHSIDE DRIVE
SUITE 300
SAN DIEGO CA 92108

ONEMAIN
3720 BOILING SPRINGS ROAD
SUITE K
BOILING SPRINGS SC 29316-6211

PERSONIFY FINANCIAL
APPLIED DATA FINANCE
11956 BERNARDO PLAZA DRIVE #144
SAN DIEGO CA 92128

PORTFOLIO RECOVERY
120 CORPORATE BLVD
SUITE 100
NORFOLK VA 23502

PREMIER FEDERAL CREDIT UNION
P O BOX 26590
GREENSBORO NC 27415-6590

REPUBLIC FINANCE, LLC
1234 W FLOYD BAKER BLVD
SUITE A
GAFFNEY SC 29341-1414

SHARONVIEW FEDERAL CREDIT UNION
P O BOX 2070
FORT MILL SC 29716-2070

SOUTH CAROLINA DEPARTMENT OF REVENUE
P O BOX 12265
COLUMBIA SC 29211

SPARTANBURG COUNTY DELINQUENT TAX OFFICE
P O BOX 3060
SPARTANBURG SC 29304-3060

SPARTANBURG PHYSICIANS BILLING
C/O MEDICREDIT CORPORATION
P O BOX 1629
MARYLAND HEIGHTS MO 63043

SPARTANBURG REGIONAL MEDICAL CENTER
101 EAST WOOD STREET
SPARTANBURG SC 29303

SPRINT
P O BOX 105243
ATLANTA GA 30348

UPSTATE CAROLINA RADIOLOGY
C/O RECEIVABLE MANAGEMENT GROUP
2901 UNIVERSITY BLVD #29
COLUMBUS GA 31907-7606

WEBBANK / FINGERHUT
6250 RIDGEWOOD ROAD
SAINT CLOUD MN 56303

WELLS FARGO BANK, N A
P O BOX 522
DES MOINES IA 50306-0522